

1. The claims now distinguish over the references cited in the office action since they recite a FCC pre-certified analog bandwidth 916 MHZ transceiver module. These modules are OEM products containing all the necessary circuitry to transmit and receive RF signals with little supporting circuitry. Since the modules are FCC approved before purchase, any product manufactured with them has a pre-advantage to pass any FCC test. The Christmas tree ornament-housing claim has been narrowed to a 125 cubic inch or less size. Meaning it is possible to manufacture a "shape" at this size and still have an operational detector-transmitter ornament to hang about a tree. The antenna claim has been amended to recite: "planar antenna" a fairly new technology for transmitters of this size. The type of smoke detector has been limited to an ionization type inside the ornament and the fixed ceiling and wall detectors. The "transceiver integrated detectors are meant to be fixed in place to a ceiling or wall. Since prototypes have been built as early as 1994, the knowledge is available to build the intended device.
2. The applicant respectfully requests to "swear behind" the references given in the office action because he has proven through a disclosure document and patent # 5,821,865 (Christmas tree ornament hazard detector) that the idea of fire detection related to radio frequency communication was his as early as 1992.
3. Applicant respectfully requests the examiner of patent App. 10/792,357 to consider the information cited in this document and explanation. Applicant has been researching and trying to reduce his ideas into practice as efficiently as possible. The applicant has conceived many ideas to patent, and has been dividing time equally for new ideas over the past 12 years. Applicant realizes the Patent and Trademark Office requires a reduction into practice of one year. Applicant hopes the Commissioner of Patents and examiner would consider the fact that he has filed six patents in a two-year period. Since he is a independent inventor and the sole inventor of all six ideas, and has limited capital, he cannot afford complete patent attorney advice and employment. Applicant hopes the Patent and Trademark Officials will consider the fact that he has divided time over the years as productively as possible to bring the ideas into patent state. The patents he has authored and filed are Applications 10/667715, (was rejected, abandoned) sent 09/22/03, 10/792,357 sent 03/01/04 (present, first OA), 10/894902, sent 07/18/04, pending, 10/979607 sent 11/02/04, pending, 11/023149 sent 12/27/04, pending, 11/046909 sent 01/31/05, pending, 11/175069 sent 07/05/05, pending. Applicant wishes to swear behind three of the references given by the examiner of patent application 10/792,357. Applicant wishes to swear behind the Goodwin, Tsou, and Nightingale et. al. patents. Patent # 5,821,865, "Christmas tree hazard detector" proves applicant was working with radio frequencies and smoke detectors (both infrared and ionization types) and heat detectors (thermostats and thermisters). Applicant has confidentiality agreement (marked A-1) with an agency to prove the time period (07/05/1996). The applicant also has technical documents describing Linx transceiver modules with publication and revision dates; copyright 1999 (marked A-2), revised 2/1/00 (marked A-3), second edition

revised 3/2/01 (marked A-4); Motorola specifications, 12/27/96 11:57 (marked A-5), National Semiconductor July 1987 (marked A-6), National Semiconductor February 1989 (marked A-7). The Applicant kept a notebook (marked A-8) with log beginning June 7, 1992 relating to research of wire and wireless smoke sensor. Picture-document (marked A-9) is part of a document disclosure with the PTO. The page with the proper dated stamp is missing. The applicant wishes to use the date of the cancelled return-envelope as proof of the submission date. Applicant attests to the validity of this disclosure drawing showing a cable type Christmas ornament smoke detection system with a separate receiver circuit. The ornament cable system was deemed too non-user friendly and possibly expensive. A set of hand-drafted drawings (marked A-10) were made by the applicant in 1993. A prototype was made shortly thereafter then scrapped for parts. The cables exist along with the rechargeable batteries, transmitters, and receivers. Built the spring of 1997, the objects (marked A-11) in the digital pictures are working prototypes of transceiver RF-communicating smoke detectors. This prototype is the second of three. A third prototype was built utilizing the FCC pre-certified 916 MHX RF module. Marked A-12, the photo shows the module with supporting circuitry. The prototype was built late 1997. A third prototype was built in 2004 photos marked A-13. This prototype uses a separate transmitter and receiver to act as a transceiver together. Applicant is respectfully hoping that these technical notes, photos and documents with there dates are sufficient material to prove that he has conceived the ideas of transceiver incorporated smoke alarms and transmitter ornaments detecting smoke/heat. Applicant attests and swears under oath of God and law that he has conceived these ideas at the time and dates provided by these copies of the original documents and faxes. Other undated technical documents are also included.

Applicant Requests Constructive Assistance

Since the undersigned has made a diligent attempt to amend this patent application so novelty is achieved by narrowing the claims namely the pre-certified analog bandwidth 916 MHZ transceiver module, planar antenna, restriction of ornament size including change in claim format to establish more acceptable language and technical integrity. If for any reason these amended claims are not believed to be correct for full allowance, the applicant respectfully requests the constructive assistance of the examiner and his suggestions to draft one or more acceptable claims so this application can be placed as allowable without the need for further proceedings.

Very Respectfully,

 Date 11/15/2005
David M. Solak
Applicant

This Document will be
sent via U.S. Postal
as first class mail addressed
to the Commissioner of
Patents, Alexandria, Virginia

On 11/15/2005
Date of deposit

Signed, David M. Solich